



300 S 20th Street Waco, TX 76701
Phone 254-756-2135 Fax 254-756-5435

December 19, 2017

Letter of Appeal
Schools and Libraries Division
700 12th Street, NW, #900
Washington, DC 20005

To whom it may concern:

Entity:	Marlin Independent School District
Contact Person:	Adam LeJeune
Contact Information	
Mailing Address:	130 Coleman, Marlin, TX 76661
Phone Number:	254-883-3585
Email:	alejeune@marlinisd.org
Service Provider:	SPIN 143009155
Funding Year:	2015-16
Application Type & Application Number:	Form 474 #2741247
FRN#:	2848689
Appeal Reason:	Numerous Forms 474 denied

Appeal Explanation:

Dana Lewis was E-rate coordinator for our company and terminated in March, 2016. Another employee was trying to perform her duties for E-rate. It seemed the Form 474 was constantly being denied. Not being knowledgeable of the E-rate procedure, it was a battle trying to submit any Form 474.

I have attached copies of our correspondence with various E-rate coordinators.
We performed the work and we are due the \$41,625.81.

We would like you to accept this documentation and reconsider USAC's decisions regarding the funding requests. Thank you for your time and attention to this matter.

Respectfully,

Allan Sims, Controller

FCC Form 474

Do not write in this space.

Approved by OMB
OMB Control No. 3060 – 0856
Estimated time per response: 1.0 hour

**Schools and Libraries Universal Service
Service Provider Invoice FCC Form 474**

Please read instructions before completing

Service Provider Form Identifier

MARLIN

(Create an identifier for your own reference)

FCC Form 474 Invoice # 2741247

(To be inserted by administrator)

Block 1: Service Provider Information

1. Service Provider Name NEMMER ELECTRIC, INC.,	
2. Service Provider Identification Number (SPIN) 143009155	
3. Contact Person's Name joe nemmer	
4. Contact Telephone Number	Area Code: 254 Phone Number: 7562135 Ext. 562135
Contact Fax Number	Area Code: 254 Fax Number: 7565435
Contact Email Address JOYCEI@NEITX.COM	
5. Total Invoice Amount (total of Block 2, Column 13) 41625.61	

SPIN 143009155Service Provider Form Identifier MARLINContact Person joe nemmerContact Telephone Number 254-7562135 562135**Block 2: Funding Request Number Information**

6. FCC Form 471 Application Number (from Funding Commitment Decision Letter)	7. Funding Request Number (FRN) (from Funding Commitment Decision Letter)	8. Bill Frequency (e.g., Monthly, Quarterly, Annually, One-time, Other)	9. Customer Billed Date (mm/yyyy)	10. Shipping Date to Customer or Last Day of Work Performed (mm/dd/yyyy)	11. Total (Undiscounted) Amount for Service per FRN	12. Discount Rate	13. Amount Billed to USAC (Column 11 multiplied by Column 12)
			For each FRN, there should be an entry in Column 9 or Column 10 but NOT BOTH				
1044319	2848689	ONE-TIME	12/01/2016		48971.30	85	41625.61

TOTAL REIMBURSEMENT AMOUNT TO BE ENTERED INTO ITEM 5

Service Provider Invoice FCC Form 474**Service Provider Form Identifier** MARLIN**Contact Person** joe nemmer**Contact Telephone Number** 254-7562135 562135**Block 3: Service Provider Certifications & Signature**

I declare under penalty of perjury that the foregoing is true and correct and that I am authorized to submit this Service Provider Invoice Form (FCC Form 474) and acknowledge to the best of my knowledge, information and belief, as follows:

- ☒ A. I certify that this Service Provider is in compliance with the rules and orders governing the schools and libraries universal service support program and I acknowledge that failure to be in compliance and remain in compliance with those rules and orders may result in the denial of discount funding and/or cancellation of funding commitments.
- ☒ B. I certify that the certifications made on the Service Provider Annual Certification Form (FCC Form 473) by this Service Provider are true and correct.
- ☒ C. I acknowledge that failure to comply with the rules and orders governing the schools and libraries universal service support program could result in civil or criminal prosecution by law enforcement authorities.

14. Signature of authorized person ☒**15. Date** 12/12/2017**16. Printed name of authorized person**
joe nemmer**17. Title or position of authorized person**
PRESIDENT**18. Telephone number of authorized person**
254-7562135 7562135**19. Address of authorized person**
300 S 20th St
Waco TX, 76701

Approved by OMB
OMB Control NO. 3060 – 0856

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

Part 54 of the Commission's Rules authorizes the FCC to collect the information on this form. Failure to provide all requested information will delay the processing of the application or result in the application being returned without action. Information requested by this form will be available for public inspection. Your response is required to obtain the requested authorization.

The public reporting for this collection of information is estimated to range from 1 to 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERF, Paperwork Reduction Act Project (3060-0856), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND YOUR RESPONSE TO THIS FORM TO THIS ADDRESS.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0856.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

Do not staple the FCC Form 474.

Service Certification for SLD Invoices


Marlin

SLD Invoice Number	2331253
Invoice Line Number	7790463
Service Provider Name	Nemmer Electric Inc
Service Provider SPIN	143009155
Service Provider Invoice #	Marlin ISD Elementary
Undiscounted Invoice Amount	\$48,971.30
Discounted Invoice Amount	\$41,625.61

Applicant Name	MARLIN INDEP SCHOOL DISTRICT
Representative / Contact Name	Rockney Terry
Representative / Contact Title	Career + Technology Director
Representative / Contact Phone	254-883-7214
Billed Entity Number (BEN)	141118
471 Number	1044319
FRN	2848689
Date Goods/Services Delivered	November 2015
Date Goods/Services were or will be Installed	January 2016
Date Applicant Portion Paid and Check No. or Date will be Paid	1/13/16 Check # 71342

This is to certify that I am authorized to represent the above named Applicant. This is also to certify the services described on the attached vendor invoice were delivered and/or installed as indicated by the date(s) above.

Or The charges represented by the above represented invoice are deposits or up-front charges for services, which have not been delivered, and have been agreed to based on the contract between the above referenced Applicant and Service Provider

Copy of <u>detailed</u> vendor invoice must be attached. Contract with Service Provider above is for Delivery only Yes <input type="checkbox"/> No <input type="checkbox"/> Delivery and Installation Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Copy of <u>supporting contract</u> must be attached if indicated below Supporting Contract Required YES <input type="checkbox"/> NO <input type="checkbox"/>
Signed: 	Signed: _____
Date: 2-4-16	Date: _____

#193823 - 51125.61

Unfollow

Reopen Case

Case Details



Topic Appeals - Status Inquiry

Status Closed

Priority High

Inquiry Type Web

Form Type FCC Form 474

Form Number 474

Created By Christy Sharp

Created On 9/1/2017 3:55 PM EDT

Organization Nemmer Electric Inc

Case Description



Description PAST DUE INVOICES FORM 2015-2016

Case Artifacts



Documents

Attachments

Name	Uploaded By	Upload Date	Attachment	Attachment Type
No items available			No items available	

Case Thread



User	Note	Date
USAC	Good Morning,	
	Due to the update provided on 9/13/2017, we will be closing this case. We greatly appreciate your patience while the Customer Service Management team works through our backlog. If you have any questions or believe this case was closed in error, please contact CSB at (888)203-8100.	9/21/2017 10:34 AM EDT
	Thank you.	
USAC	Good Morning,	
	Please see notes below. Of all the invoices submitted, only one was denied due to a failure that was not the service providers fault / mistake. That single one was denied because the Service Certification received from the applicant was not filled out correctly. Under current guidance, we would have asked the applicant to correct the oversight – at the time though, that was not policy. The Service Provider had the opportunity to correct the mistake (see the invoices submitted later) and failed to follow program rules for filing invoices.	
	FRN: 2848689 – Committed: 41625.61 – 8 invoices, 6 certified and denied. <ul style="list-style-type: none"> • Invoice: 2413999 (Received: 7/22/2016) -Does not appear to have been certified by the service provider yet • Invoice: 2473309 (Received: 11/18/2016) - Does not appear to have been certified by the service provider yet • Invoice: 2313926 (received 1/4/2016) – denied because service provider did not have a SPAC • Invoice: 2331253 (received 1/22/2016) – denied because the service certification was not valid. The applicant failed to specify "Delivery Only or Delivery and Installation" on the service certification • Invoice: 2384965 (received 5/6/2016) – denied because the 471 listed was incorrect (not the one associated with the FRN) • Invoice: 2500950 (received 2/13/2017) – denied because it was received after the invoicing deadline (01/30/2017) • Invoice: 2551136 (received 3/20/2017) – denied because it was received after the invoicing deadline (01/30/2017) • Invoice: 2679585 (received 9/5/2017) – denied because the 471 listed was incorrect (not the one associated with the FRN) 	9/13/2017 9:49 AM EDT
USAC	FRN: 2810604 – Committed: 10100 – 4 invoices, 1 certified and denied <ul style="list-style-type: none"> • Invoice: 2303720 (Received: 12/10/2015) -Does not appear to have been certified by the service provider yet • Invoice: 2414005 (Received: 7/22/2016) -Does not appear to have been certified by the service provider yet • Invoice: 2679512 (Received: 9/5/2017) -Does not appear to have been certified by the service provider yet • Invoice: 2471416 (Received 11/14/2016) – denied because the discount amount on the invoice did not match the discount amount on the FRN. Also, the Requested \$'s were the same as the undiscounted \$'s 	
	Thank you.	
	Allan, Your case is being forwarded to the appropriate party. Someone will respond to you regarding your concerns as soon as possible.	9/6/2017 5:23 PM EDT

User	Note	Date
	We have gone through at least 12 different attempts to get paid by your organization. Each time we try, we get a different case number, without reference to the prior case number. This is ridiculous that we have tried to get paid this many times and your staff, while helpful in setting up a new case, never help us follow through to get the invoices actually paid. We get 'handed off' to the next department which doesn't approve the payment, for whatever reason and then we start again.	
Christy Sharp	I want to talk to a supervisor who can find the entire history on this claim and help us finally get our money. The frustration in this situation makes it necessary that we seek help from our congressman, if we can't get this resolved. Allan Sims Controller for Nemmer Electric, Inc.	9/6/2017 5:07 PM EDT
USAC	We see that you reopened this case but we have not received any new information. If you have a question or concern, please submit it as a note to the case.	9/6/2017 4:47 PM EDT

Case Contact



Name ALLAN SIMS

Phone Number 254-709-1086

Email ALLANS@NEITX.COM

#193755 [Follow](#)[Reopen Case](#)

Case Details

Topic System Problem Report - FCC Form 486
Status Closed
Priority Medium
Inquiry Type Phone

Form Type FCC Form 486
Form Number 8283
Created By USAC
Created On 9/1/2017 12:39 PM EDT
Organization Nemmer Electric Inc

Case Description

Description It says no 486 filed, is that a form I file or the applicant?

Case Artifacts

Documents

Name	Uploaded By	Upload Date
No items available		

Attachments

Attachment	Attachment Type
No items available	

Case Thread

User	Note	Date
USAC	Christy, This case has been pending a response since 9/5/2017. Due to the lack of response we must assume that this issue has been resolved, so this case is now closed.	9/14/2017 3:42 PM EDT
USAC	Christy, Your case has been escalated to Customer Service Management at USAC. Can you please attach a screenshot of the error your are receiving? Per our records I see that you were able to successfully invoice last on 7/18/2017. Based on this customer service comment you have 5 calendar days from today to respond to this request. A timely response to this inquiry is required; failure to respond by 09/10/2017 will resolve in a case closure. Thank you,	9/5/2017 10:57 AM EDT

Case Contact

Case Contact Christy Sharp



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2015-2016

August 25, 2017

Joyce Perez
Nemmer Electric
300 S. 20th Street
Waco, TX 76701

Re: Applicant Name:	MARLIN INDEP SCHOOL DISTRICT
Billed Entity Number:	141118
Form 471 Application Number:	1044319
Funding Request Number(s):	2848689
Decision Letter Date:	February 25, 2016
Date Appeal Postmarked:	August 15, 2017
Your Correspondence Dated:	August 15, 2017

Our records show that your appeal was postmarked more than sixty (60) days after the date the Universal Service Administrative Company's (USAC's) Remittance Statement was issued, as shown above. Federal Communications Commission (FCC) rules require applicants to postmark appeals within 60 days of the date on the USAC decision or action that is being appealed. Your appeal, as noted above, was postmarked after the appeal deadline. FCC rules do not permit USAC to consider your appeal.

If you wish to appeal this decision, you may file an appeal pursuant to 47 C.F.R. Part 54, Subpart I. Detailed instructions for filing appeals are available at:
<http://www.usac.org/sl/about/program-integrity/appeals.aspx>.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2015-2016

May 31, 2017

Joyce Perez
Nemmer Electric
300 S. 20th Street
Waco, TX 76701

Re: Applicant Name: MARLIN INDEP SCHOOL DISTRICT
Billed Entity Number: 141118
Form 471 Application Number: 1044319
Funding Request Number(s): 2848689
Your Correspondence Dated: April 18, 2017

After review of the information and documentation provided, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Remittance Statement, a notification of Schools and Libraries Program payments to the service provider, for the FCC Form 471 Application Number referenced above. This letter provides an explanation for USAC's decision. The date of this letter also begins the sixty (60) day time period for appealing this decision. If your Letter of Appeal included more than one FCC Form 471 Application Number, please note that you will receive a separate decision for each funding application.

Funding Request Number(s): 2848689
Decision on Appeal: **Approved**
Explanation:

- Based on your appeal letter and the relevant documentation, your appeal is approved and you have 30 days from the date of this letter to submit an invoice.

Please see <http://www.universalservice.org/sl/tools/forms/default.aspx> for assistance in filing your invoice.

Since your appeal is approved, you may continue to invoice USAC for a portion of the commitment that is still available, if any.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company